

APR 25 2007

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TO: US PTO Fax Central - for Ex Horton Art Unit

FROM: JAMES STAPLES, Esq.

3635

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## MESSAGE

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ART UNIT 3635

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APR 25 2007

In re Application of:	ZARTMAN, et al	)	
Application Serial No.:	10/614,074	)	Group Art Unit
Application Filing Date:	07/07/2003	)	3635
Art Unit:	3635	)	Examiner
Title:	VANDAL PROOF SYSTEM FOR SECURING STONE PRODUCTS TO SUPPORT STRUCTURE	)	Horton

**LETTER RESPONDING TO  
APRIL 19, 2007 OFFICE LETTER  
RE: INTERVIEW SUMMARY**

This letter responds to the Examiner's letter with the caption "Interview Summary" dated April 19, 2007, concerning a brief telephone discussion held with the Examiner on April 12, 2007.

The Examiner's underlined description of the substance of the discussion in the 7<sup>th</sup> paragraph under "(2) Mr. Staples" is correct. The only purpose for the telephone call to the Examiner was to determine whether the Examiner had rendered a 35U.S.C.102 or 35U.S.C103 rejection in the February 23, 2007 Office Action since both statutory sections were mentioned. This was the only topic discussed.

We respectfully state that the Examiner's statements in the 4<sup>th</sup> and 5<sup>th</sup> paragraphs under "(2)" are not correct; no claims were discussed and no prior art was discussed.

S.N. 10/614,074

Attorney Docket TKM-1005-U.S.

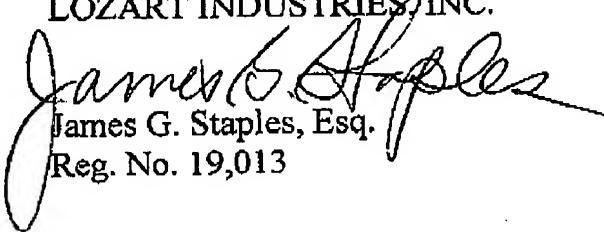
We further state that the Examiner's statement in the 6<sup>th</sup> paragraph under "(2)" is not correct; no agreement with respect to the claims was reached.

Applicant filed a formal response to the February 23, 2007 Office Action shortly before the April 19, 2007 was received by the applicant's attorney. Said formal response did not include any discussion of the April 12, 2007 telephone discussion since the undersigned believed there was no requirement to do so, as exemplified by the following passage on the second page of Form PTOL-413 (Rev. 04-03):

"Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812,010 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below". (underlining ours)

Respectfully submitted,

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